

### REMARKS

The applicants respectfully request reconsideration in view of the amendment and the following remarks. The applicants have made corrections of some clerical errors in the claims. The Examiner has required the election of one of the following inventions to which the claims must be restricted:

- 1) Group 1, claims 1-23 and 25-30, drawn to organic semiconductors, mixtures, polymers and uses thereof, containing at least one polymer, at least one structural unit L=X and a triplet emitter.
- 2) Group 2, claim 24, drawn to polymers containing at least one structural unit L=X and 9,9'-spirobifluorene units.

Applicants hereby provisionally elect Group I, claims 1-23 and 25-30 for continued examination, with traverse.

Applicants respectfully traverse the Restriction requirement because the U.S. Patent and Trademark Office has not carried forward its burden of proof to establish distinctness.

In particular, MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. The applicant traverses this election especially due to the fact that polymers containing at least one structural unit L=X (i.e. group 2) are also disclosed in pending claims 4, 8 and 9.

Accordingly, Applicants respectfully traverse the outstanding Election requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

The applicant believes that Group II should be rejoined with Group I.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 14113-00002-US from which the undersigned is authorized to draw.

Dated: September 16, 2008

Respectfully submitted,

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